

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AT&T CORP,

Plaintiff,

v.

DATAWAY INC,

Defendant.

No. C-07-02440 (EDL)

**ORDER GRANTING IN PART MOTION
TO SHORTEN TIME; SETTING
BRIEFING SCHEDULE; CONTINUING
HEARING**

Dataway filed a motion to strike AT&T's answer to its counterclaim on July 21, 2008, after AT&T filed its belated answer on July 16, 2008. Currently, AT&T's motion for summary judgment is set for hearing on August 5, 2008, and Dataway's motion for sanctions is set for hearing on August 12, 2008. IT IS HEREBY ORDERED that the hearing on AT&T's motion for summary judgment is continued to August 12, 2008, and Dataway's motion to strike shall also be heard on that date. The hearing on all three pending motions in this case shall take place at August 12, 2008 at 9:30 a.m. in Courtroom E. This order does not change any briefing schedules except as follows: AT&T shall file its opposition to Dataway's motion to strike no later than July 30, 2008 at noon. Dataway shall file its reply no later than August 1, 2008 at noon. By consolidating all hearings in this expedient manner, the Court does not express any opinion on the merits of Dataway's motion to strike.

IT IS SO ORDERED.

Dated: July 25, 2008

Elizabeth D. Laporte

ELIZABETH D. LAPORTE
United States Magistrate Judge